

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

ROBERT L. HARDING, DEBRA HARDING,
OLIVER CROMWELL OWNERS, INC.,
WASHINGTON MUTUAL BANK, CHERI
LANE BOWES, and ANDREW HARDING,

Defendants.

Case Number: 07 Civ. 5924 (LLS)

**STIPULATION AND ORDER OF
DISMISSAL
OF DEFENDANT BOWES**

WHEREAS, plaintiff commenced this action by filing a complaint against, *inter alia*, Robert L. Harding and Debra Harding (the “Hardings”), the owners of a cooperative apartment with an address of 12 West 72nd Street, Apt. 3E, New York, NY (the “Apartment”);

WHEREAS, the complaint seeks, *inter alia*, to: (1) foreclose on the Apartment to satisfy United States tax liens against the Hardings; and (2) an order directing any current tenant to vacate the Apartment;

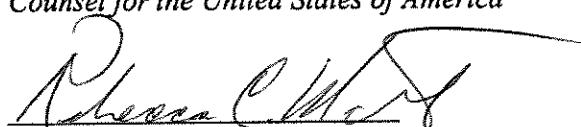
WHEREAS, Cheri Lane Bowes (“Bowes”), was named as a defendant based, solely, upon her status as a tenant residing in the Apartment, and the complaint does not allege any wrongdoing on her part;

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel for plaintiff and counsel for Bowes that:

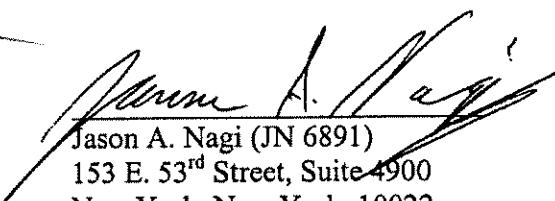
1. Bowes will vacate the Apartment on or before the date the Court orders the foreclosure by the United States on the Apartment ("Foreclosure Date"); and
2. Bowes waives all right, title, interest and any claim to the Apartment; and
3. Bowes waives any right to reside in or otherwise use the Apartment on or after the Foreclosure Date; and
4. Bowes releases the United States from any claims arising from or in any manner connected to the Apartment or this action; and
5. The above-referenced action is hereby dismissed against Bowes, with prejudice, and without costs, expenses, or fees.

Dated: November 8, 2007

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Counsel for the United States of America


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SO ORDERED:

Louis L. Stanton, U.S.D.J.